

TAG 227

ACTION	ACTIVE <input checked="" type="checkbox"/> PENDING <input type="checkbox"/> INACTIVE <input type="checkbox"/>	INDEX INFO	YES <input checked="" type="checkbox"/> NO <input type="checkbox"/>	No of Adult Arrests	6	No of Subject Detentions	0	URN (FPM No)	094-20509-2175-055	Sex Offense Victim	Information () Yes () No
CLASSIFICATION											
ASSAULT WITH A DEADLY WEAPON											
AGAINST A POLICE OFFICER) 245(C) PC											
DATE TIME DAY OF OCCURRENCE											
9-24-94, 1656 HRS, SATURDAY											
PRINT DEPUTY REQUESTED NO <input checked="" type="checkbox"/> YES <input type="checkbox"/> LOC () STA () VEN ()											
BANDERA STREET LOS ANGELES											
TYPE OF LOCATION YARD TRACT											

CODE: V-VICTIM, W-WITNESS, I-INFORMANT, R-REPORTING PARTY, F-PARTY LIST ONE WITNESS (IF NAMED) AND THE INFORMANT ON THIS PAGE.

CODE	V	1 of 4	LAST NAME	MISKEVICS	FIRST	JOSEPH	MIDDLE	JOHN	SEX	M	RACE	W	CHECK DAY PHONE BELOW
RESIDENCE ADDRESS	L.A. COUNTY DEPUTY SHERIFF												
BUSINESS ADDRESS	11703 S. ALAMEDA ST. LYNWOOD 90262												
CODE	V	2 of 4	LAST NAME	FUCHS	FIRST	HOWARD	MIDDLE	RICHARD	SEX	M	RACE	W	CHECK DAY PHONE BELOW
RESIDENCE ADDRESS	L.A. COUNTY DEPUTY SHERIFF												
BUSINESS ADDRESS	11703 S. ALAMEDA ST. LYNWOOD 90262												
CODE	V	3 of 4	LAST NAME	KENNEY	FIRST	ROBERT	MIDDLE	WILLIAM	SEX	M	RACE	W	CHECK DAY PHONE BELOW
RESIDENCE ADDRESS	L.A. COUNTY DEPUTY SHERIFF												
BUSINESS ADDRESS	11703 S. ALAMEDA ST. LYNWOOD 90262												

CODE: S-SUSPECT, SJ-SUBJECT, M-PATIENT, S/V-SUSPECT/VICTIM, SJ/V-SUBJECT/VICTIM CIRCLE CODE IF SUPP. PAGES USED FOR: V W S SJ M S/V SJ/V

CODE	S	1 of 1	LAST NAME	RIVAS	FIRST	RAYMUNDO	MIDDLE	SANCHEZ	DRIVER'S LICENSE (STATE & No.)								
RESIDENCE ADDRESS	BANDERA ST. LOS ANGELES 90002																
BUSINESS ADDRESS	UNEMPLOYED																
SEX	M	RACE	H	HAIR	BRN	EYES	BRN	HEIGHT	5-5	WEIGHT	154	DOB	2-23-46	AGE	48	WHERE DETAINED OR CITE No	MLK Hosp.
OBSERVABLE PHYSICAL IDENTITIES	NONE SEEN										AKA NICKNAME	NONE GIVEN	BOOKING No	NIC			
CLOTHING WORN	WHITE T-SHIRT/BLUE JEANS										WEAPON USED	HAND GUN					
CHARGE	243(C) PC										DRIVER'S LICENSE (STATE & No.)						
CODE		No	OF	LAST NAME		FIRST		MIDDLE		RESIDENCE ADDRESS		CITY		ZIP		RES PHONE (AREA CODE)	
BUSINESS ADDRESS																	
SEX		RACE		HAIR		EYES		HEIGHT		WEIGHT		DOB		AGE		WHERE DETAINED OR CITE No	
OBSERVABLE PHYSICAL IDENTITIES											AKA NICKNAME		BOOKING No				
CLOTHING WORN											WEAPON USED						
CHARGE											DRIVER'S LICENSE (STATE & No.)						

VEHICLE USED IN CRIME YES () NO ()	YR	MAKE	BODY TYPE	COLOR	BY DEPUTY	R. WESTPHAL
UNKNOWN () STORED () REPOUNDED ()					DEPUTY	B. BRAUBERGER
LICENSE (STATE & No.)		VIN / FRAME No			STATION	CENTURY
REGISTERED OWNER					UNIT / CAR No	217A
IDENTIFYING CHARACTERISTICS					SHIFT	PM
C.H.P. No. SUBMITTED	YES () NO ()	GARAGE NAME & PHONE			Sgt. Warren R. Wadkins	034544
VICTIM DESIROUS OF PROSECUTION	YES () NO ()	VICTIM INVAILED FOR LOSS	YES () NO ()	E.A.P. No	ASSIGNMENT	HOMICIDE BUREAU
SUSPECT/SUBJECT RELEASE APPROVED BY		TIME		ARREST REVIEW SUBMITTED	YES () NO ()	SPECIAL REQUEST DISTRIBUTION
						CENTURY DETECTIVE BUREAU
					DATE	

CODE: V - victim, W - witness

CODE Y	NO. OF 4 of 4	LAST NAME REWALD	FIRST JAMES	MIDDLE TAYLOR	SEX M	RACE W	CHECK DAY PHONE BELOW
RESIDENCE ADDRESS L.A. COUNTY DEPUTY SHERIFF			CITY LYNWOOD		RES. PHONE (AREA CODE) SAME		
BUSINESS ADDRESS 11703 S. ALAMEDA ST.			CITY LYNWOOD		BUS. PHONE (AREA CODE) (213) 567-8121 X		
CODE	NO. OF	LAST NAME	FIRST	MIDDLE	SEX	RACE	CHECK DAY PHONE BELOW
RESIDENCE ADDRESS			CITY	ZIP	RES. PHONE (AREA CODE)		
BUSINESS ADDRESS			CITY	ZIP	BUS. PHONE (AREA CODE)		
CODE	NO. OF	LAST NAME	FIRST	MIDDLE	SEX	RACE	CHECK DAY PHONE BELOW
RESIDENCE ADDRESS			CITY	ZIP	RES. PHONE (AREA CODE)		
BUSINESS ADDRESS			CITY	ZIP	BUS. PHONE (AREA CODE)		

CODE: S - suspect, SJ - subject, - P - patient, S/V - suspect/victim, S/J - subject/victim

CODE	NO. OF	LAST NAME	FIRST	MIDDLE	DRIVER'S LICENSE (STATE & No.)		
RESIDENCE ADDRESS			CITY	ZIP	RES. PHONE (AREA CODE)		
BUSINESS ADDRESS			CITY	ZIP	BUS. PHONE (AREA CODE)		
SEX	RACE	HAIR	EYES	HEIGHT	WEIGHT	D.O.B.	AGE
OBSERVABLE PHYSICAL ODITIES						AKA/NICKNAME	WHERE DETAINED OR CITE NO.
CLOTHING WORN						BOOKING NO.	
CHARGE						MAIN	
						WEAPON USED	
CODE	NO. OF	LAST NAME	FIRST	MIDDLE	DRIVER'S LICENSE (STATE & No.)		
RESIDENCE ADDRESS			CITY	ZIP	RES. PHONE (AREA CODE)		
BUSINESS ADDRESS			CITY	ZIP	BUS. PHONE (AREA CODE)		
SEX	RACE	HAIR	EYES	HEIGHT	WEIGHT	D.O.B.	AGE
OBSERVABLE PHYSICAL ODITIES						AKA/NICKNAME	WHERE DETAINED OR CITE NO.
CLOTHING WORN						BOOKING NO.	
CHARGE						MAIN	
						WEAPON USED	
CODE	NO. OF	LAST NAME	FIRST	MIDDLE	DRIVER'S LICENSE (STATE & No.)		
RESIDENCE ADDRESS			CITY	ZIP	RES. PHONE (AREA CODE)		
BUSINESS ADDRESS			CITY	ZIP	BUS. PHONE (AREA CODE)		
SEX	RACE	HAIR	EYES	HEIGHT	WEIGHT	D.O.B.	AGE
OBSERVABLE PHYSICAL ODITIES						AKA/NICKNAME	WHERE DETAINED OR CITE NO.
CLOTHING WORN						BOOKING NO.	
CHARGE						MAIN	
						WEAPON USED	

VEHICLE USED IN CRIME YES () NO ()	VE.	MAKE	BODY TYPE	COLOR	LICENSE (STATE & No.)	V.I.N. / FRAME NO.
UNKNOWN () STORED () IMPOUNDED ()						
CHP 100 YES () NO ()	GARAGE NAME & PHONE			IDENTIFYING CHARACTERISTICS		

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DATE	9-24-94	TIME REC'D	1656	DET ()	CALL ()	URN	094-20509-2175-055
INPUT/CHECKED	YES ()	EVIDENCE	(CODE-EN)	HELD	YES ()	MARKED, TAGGED, SEALED & PLACED	INSIDE ()
NO. CL. ETC.	NO ()				NO ()	IN STATION EVIDENCE LOCKER	OUTSIDE ()
IF BURGLARY: FORCE USED	N/A	YES ()	POINT OF ENTRY - DOOR ()	WINDOW ()	ROOF ()	OTHER	
PROPERTY: (TOTAL VALUE)	RECOVERED \$	0	STOLEN \$	0	DAMAGED \$	0	
PROPERTY CODE:	S-stolen R-recovered L-lost F-found E-embellished D-damaged (Use All Applicable Codes. For Example, If Property Is Both Stolen & Recovered, Code Is S/R)						PROPERTY RELEASED TO
CODE	ITEM	QUAN	DESCRIPTION	INCLUDE KIND OF ARTICLE, TRADE NAME, IDENTIFYING NUMBERS, PHYSICAL DESCRIPTION, MATERIAL, COLOR, CONDITION, AGE AND PRESENT MARKET VALUE			SERIAL NO.
							VALUE

* ALL EVIDENCE RELATING TO THIS \$
 * INCIDENT WAS COLLECTED BY THE *
 * L.A. CO SHERIFF'S DEPT. CRIME LAB AND *
 * IS IN THEIR CUSTODY *

TYPE OF CRIME:
 TYPE OF LOCATION:
 TYPE OF WEAPON: N/A
 SUSPECT:
 VEHICLE:

LOCATION/VEHICLE:
 AREA:
 POINT OF ENTRY: N/A
 MODE OF ENTRY:
 IMPLEMENTS USED
 CAT BURGLARY

VICTIM OF SEX CRIME'S REQUEST FOR CONFIDENTIALITY.
 PURSUANT TO SECTION 233(3) OF THE CALIFORNIA PENAL CODE, YOU ARE INFORMED THAT YOUR NAME
 BECOME A MATTER OF PUBLIC RECORD, UNLESS YOU REQUEST THAT IT REMAIN CONFIDENTIAL AND NC E
 A PUBLIC RECORD, PURSUANT TO SECTION 8254 OF THE GOVERNMENT CODE.

HEREBY (DO) (DO NOT) ELECT TO EXERCISE MY RIGHT TO PRIVACY

YES	NO
<input checked="" type="checkbox"/>	<input type="checkbox"/>
<input checked="" type="checkbox"/>	<input type="checkbox"/>
<input checked="" type="checkbox"/>	<input type="checkbox"/>
<input checked="" type="checkbox"/>	<input type="checkbox"/>
<input checked="" type="checkbox"/>	<input type="checkbox"/>

SCREENING FACTORS

- SUSPECT IN CUSTODY
- SUSPECT NAMED/KNOWN
- UNIQUE SUSPECT IDENTIFIERS
- VEHICLE IN CUSTODY
- UNIQUE VEHICLE IDENTIFIERS
- WRITER/REVIEWER DISCRETION

YES	NO
<input checked="" type="checkbox"/>	<input type="checkbox"/>
<input checked="" type="checkbox"/>	<input type="checkbox"/>
<input checked="" type="checkbox"/>	<input type="checkbox"/>
<input checked="" type="checkbox"/>	<input type="checkbox"/>
<input checked="" type="checkbox"/>	<input type="checkbox"/>

- GENERAL SUSPECT DESCRIPTION
- GENERAL VEHICLE DESCRIPTION
- UNIQUE M.O. OR PATTERN
- SIGNIFICANT PHYSICAL EVIDENCE
- TRACEABLE STOLEN PROPERTY
- MULTIPLE WITNESSES

PART I STATISTICAL INFORMATION

PROPERTY			ADDITIONAL CRIMES		NUMBER OF VICTIMS		WEAPONS CODE
TYPE OF PROPERTY	STOLEN	RECOVERED	TYPE OF PROPERTY	STOLEN	RECOVERED		
CLOTHING/FURS	\$	\$	JEWELRY	\$	\$		() ARTICLES THROWN
CONSUMABLE GOODS	\$	\$	LIVESTOCK	\$	\$		() CAUSTIC CHEMICALS
CURRENCY/NOTES	\$	\$	LOCAL STOLEN VEHICLES	\$	\$		() CLUB/BLUNT INSTRUMENT
FIREARMS	\$	\$	MISCELLANEOUS	\$	\$		() DRUGS, NOXIOUS GAS
HOUSEHOLD GOODS	\$	\$	OFFICE EQUIPMENT	\$	\$		() FIRE/EXPLOSIVES
			TV/RADIO, STEREO	\$	\$		() HANDS, FEET, FIST, ETC.
							() KNIFE, CUTTING INSTRUMENT
							() POISON
							() REVOLVER/PISTOL
							() RIFLE
							() SHOTGUN
							() STRANGULATION
							() VEHICLE
							() UNKNOWN/OTHER

AT THE INDICATED TIME THIS DATE, WE RESPONDED TO THE LOCATION RE: PERSON WITH A GUN CALL (TAG 227). PRIOR TO OUR ARRIVAL WE WERE ADVISED THAT DEPUTIES WERE INVOLVED IN A SHOOTING.

UPON OUR ARRIVAL WE CONTACTED DEPUTIES MISKEVICS [REDACTED], FUCHS # [REDACTED] (UNIT 217/PM'S), KENNEY [REDACTED], REWALD [REDACTED] (UNIT 216A/PM'S). THEY TOLD US BASICALLY THE FOLLOWING:

THEY HAD COME TO THAT ADDRESS AS A RESULT OF A CALL ABOUT A PERSON WITH A GUN (TAG 227)

THEY SAW A MALE (LATER IDENTIFIED AS S/RIVAS) SEATED IN A CHAIR, IN THE YARD BETWEEN THE RESIDENCES OF [REDACTED] BANDERA ST. AND [REDACTED] BANDERA ST. THESE LOCATIONS SHARE A COMMON YARD.

REPORT CONTINUATION - NARRATIVE

URN 094-20509-2175-055

THEY SAW THAT S/ RIVAS WAS HOLDING SOMETHING IN THE FRONT WAISTBAND OF HIS PANTS.

THE DEPUTIES REPEATEDLY ORDERED S/ RIVAS TO PLACE HIS HANDS OVER HIS HEAD. THEY DID THIS IN ENGLISH AND SPANISH. INSTEAD OF DOING AS THE DEPUTIES ORDERED, S/ RIVAS STOOD UP AND WALKED TOWARD THE HOUSE.

WHEN S/ RIVAS NEARED THE HOUSE, HE TURNED AND RAISED A HANDGUN, POINTING IT AT THE DEPUTIES.

THE DEPUTIES, BELIEVING THEY WERE ABOUT TO BE SHOT AT, FIRED ROUNDS FROM THEIR DEPARTMENTALLY APPROVED WEAPONS AT THE SUSPECT. (ALL SHOT "BERETTA" 92F, 9MM, SEMI-AUTOMATIC PISTOLS).

S/ RIVAS WAS STRUCK ONCE IN THE UPPER TORSO, AND IN THE

CHEEK. S/RIVAS FELL TO THE GROUND PARTIALLY INSIDE THE DOOR OF THE LOCATION. NO DEPUTIES OR INNOCENT BYSTANDERS WERE INJURED IN THE CONFRONTATION.

S/RIVAS WAS TREATED BY L.A. COUNTY FIRE DEPARTMENT ENGINE #216 UNDER CAPT. BENNETT.

HE WAS TRANSPORTED TO MARTIN LUTHER KING HOSPITAL BY ADAMS AMBULANCE #25 (BRUCE AND RICE)

FIELD SGT. LOPEZ AND WATCH COMMANDER LT. MILLER NOTIFIED OF THE SITUATION.

HOMICIDE BUREAU NOTIFIED AT 1710 HRS. AT 1810 HRS HOMICIDE SGT. REED ARRIVED AND TOOK CHARGE OF THE CRIME SCENE.

COUNTY OF LOS ANGELES SHERIFF'S DEPARTMENT
MAJOR INCIDENT LOG

PAGE 1 OF 2

CLASSIFICATION ALLEY EAST BANDERA / S of 80th		URN 09A-20509-215-055	DATE 092494
LOCATION 88th ST. / BANDERA			
DEPUTY INITIATING LOG MILLETTE / 215	TIME 1705	RELIEF DEPUTY	TIME
		RELIEF DEPUTY	TIME

PERSONS ENTERING SCENE

NAME (Print)	RANK	ASSIGNMENT	TIME		REASON FOR ENTRY
			IN	OUT	
PONTIUS		SQUAD 16			
SIGNATURE	EMP #	AGENCY L.A.C.F.	1700	1710	
SMITH		SQUAD 16			
SIGNATURE	EMP #	AGENCY L.A.C.F.	1700	1710	
CAPT. BENNET	CAPT	ENGINE 216			
SIGNATURE	EMP #	AGENCY L.A.C.F.	1700	1710	
OLSEN		ENG #216			
SIGNATURE	EMP #	AGENCY L.A.C.F.	1700	1710	
KINNEY		ENG #216			
SIGNATURE	EMP #	AGENCY L.A.C.F.	1700	1710	
BRUCE		ADAMS #25			
SIGNATURE	EMP #	AGENCY AMBULANCE	1700	1710	
RICE		ADAMS #25			
SIGNATURE	EMP #	AGENCY AMBULANCE	1700	1710	
NEUMAN		ENG #216			
SIGNATURE	EMP #	AGENCY RIVERA / L.A.C.F.	1700	1710	
MANCILLA	DET.	214 / CON			
SIGNATURE	EMP #	AGENCY LASD	1705		
LEE	SGT.	2125 / CON			
SIGNATURE	EMP #	AGENCY LASD	1705		
[REDACTED]	DET.	214 / CON			
SIGNATURE	EMP #	AGENCY LASD	1705		
GARCIA	DET.	212A / CON			
SIGNATURE	EMP #	AGENCY LASD	1705		
WHITE	DET.	213 / CON			
SIGNATURE	EMP #	AGENCY LASD	1705	1740	
MODICA	D.S.G	213 / CON			
SIGNATURE	EMP #	AGENCY LASD	1705	1740	ASSISTING

PAGE 2 OF 2

CLASSIFICATION		URN 094-20569-2175-055		DATE 99454	
LOCATION 88TH & BANDERA ST.					
DEPUTY INITIATING LOG		TIME	RELIEF DEPUTY	TIME	RELIEF DEPUTY

PERSONS ENTERING SCENE

NAME (Print)	RANK	ASSIGNMENT	TIME		REASON FOR ENTRY
SIGNATURE	EMP #	AGENCY	IN	OUT	
KAY LADDIFF [Signature]	[Redacted]	IAB LASD	7:30		
MIKE BARNUM [Signature]	SGT [Redacted]	IAB LASD	18:50		
Denny Benedict [Signature]	H. [Redacted]	Homicide LASD	18:35		Investigation
Ralph Seligman [Signature]	Det. [Redacted]	CRIME LAB E.A.S.D.	19:50		
JIM MARTINEZ [Signature]	Pvt [Redacted]	CADA SID DA.	19:30		
EARS DARDEN [Signature]	DDA [Redacted]	SID LAPA	20:20		
JERRY GREENE [Signature]	SGT [Redacted]	IAB LASD	19:45		
Art Hernandez [Signature]	Capt [Redacted]	CENTURY LASD	18:45		
Dale Higashi [Signature]	Tec Sgt [Redacted]	LASO Firearms LASD	20:30		

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PERSONS ENTERING SCENE

PAGE ____ OF ____

NAME (Print)	RANK	ASSIGNMENT	TIME		REASON FOR ENTRY
			IN	OUT	
GODWIN SIGNATURE <i>[Signature]</i>	DEP.	212 / CEN AGENCY LASD	1705	1735	
WESTPHAL SIGNATURE <i>[Signature]</i>	DEP.	217A / CEN AGENCY LASD	1705		HANDED
BRAUBERGER SIGNATURE <i>[Signature]</i>	DEP.	217A / CEN AGENCY LASD	1705		
MILLETTE SIGNATURE <i>[Signature]</i>	DEP.	215 / CEN AGENCY LASD	1705	1756	
[REDACTED] SIGNATURE <i>[Signature]</i>	DEP.	215 / CEN AGENCY LASD	1705	1756	
DAMBACHER SIGNATURE <i>[Signature]</i>	DEP.	212B / CEN AGENCY LASD	1705		
MACINNIS SIGNATURE <i>[Signature]</i>	DEP.	216 / CEN AGENCY LASD	1705		
CASTANO SIGNATURE <i>[Signature]</i>	DEP.	216 / CEN AGENCY LASD	1705		
LT. MILLER SIGNATURE <i>[Signature]</i>	LT.	W/C CEN AGENCY LASD	1730		
WILLIAM STONICH SIGNATURE <i>[Signature]</i>	CHOR EMP #	FOR III AGENCY LASD	1744		
DANIEL BURR SIGNATURE <i>[Signature]</i>	CAPT EMP #	I.H.B. AGENCY LASD			
SGT REED SIGNATURE <i>[Signature]</i>	SGT EMP #	HOMICIDE AGENCY LASD	1806		
RALPH CALZADA SIGNATURE <i>[Signature]</i>	D/S EMP #	CRIME LAB AGENCY LASD	1810		
DAVID KUSHNER SIGNATURE <i>[Signature]</i>	RANK EMP #	HOMICIDE AGENCY	1820		
DAVE CASTILLO SIGNATURE <i>[Signature]</i>	DEP EMP #	HOMICIDE AGENCY LASD			
JOE MILHAM SIGNATURE <i>[Signature]</i>	SGT EMP #	LASD / SSA AGENCY LASD	1848		

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COUNTY OF LOS ANGELES - SHERIFF'S DEPARTMENT - SUPPLEMENTARY REPORT

DATE _____

9-24-94

FILE NO.

094-20509-2175-055

C. 245(C) PC - ASSAULT WITH A

Action Taken

ACTIVE-ADDITIONAL
INFO. REGARDING A
DEPUTY INVOLVED
SHOOTING.

DEADLY WEAPON ON A POLICE OFFICER

CODE: V-VICTIM, W-WITNESS, I-INFORMANT, R-REPORTING PARTY, P-PARTY LIST ONE WITNESS (IF NAMED) AND THE INFORMANT ON THIS PAGE.

CODE	LAST NAME	FIRST	MIDDLE	SEX	RACE	DOB	DATE OF BIRTH
RESIDENCE ADDRESS	CITY	ZIP	RES PHONE (AREA CODE)				
BUSINESS ADDRESS	CITY	ZIP	BUS PHONE (AREA CODE)				

CODE: S-SUSPECT, U-SUBJECT, M-PATIENT, S/V-SUSPECT/VICTIM, S/U-V-SUBJECT/VICTIM CIRCLE CODE IF SUPP. PAGES USED FOR: V W S U M S/V S/U

CODE S-1-1	LAST NAME RIVAS	FIRST RAYMUNDO	MIDDLE SANCHEZ	DATE OF BIRTH [REDACTED]
RELAT [REDACTED]	CITY BANDERA ST LOS ANGELES			ZIP 90002
BUSINESS ADDRESS UNEMPLOYED				CITY [REDACTED]
SEX M	RACE A	HAIR BRN	EYES BRN	WEIGHT S-5
DOB 2-23-46		AGE 48		
OCCUPATION NONE SEEN			MILITARY SERVICE NONE GIVEN	
CLOTHING WORN WHITE T-SHIRT / BLUE JEANS				WEAPON USED HANDGUN
CHARGE 245(C) PC				WEAPON USED HANDGUN

I-1-2. F/H \$

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| • • • | UNEMPLOYED | • | • NONE |
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| I 22 | | M/H | |
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[illegible][illegible]

Page 1 of 1

| | | |
|-------|----------------------------|------------|
| • • • | BY IDENTITY
12 WESTPHAL | [REDACTED] |
|-------|----------------------------|------------|

| | | | | | |
|---------|--|--------|--|-----------|--|
| STATION | | DEPUTY | | BADGE NO. | |
| STATION | | DEPUTY | | BADGE NO. | |

| | | | |
|-----|-------------------------|------|------------|
| ... | CENTURY | ZITA | MM |
| | APPROX. 307. A.V. Price | | TIME 0.505 |

10 Formicide

10

ST. JOSEPH
"IZ" WESTPHAL

DISCUSSION

STAY

Abstract

Abstract

SPECIAL PRICING FOR STUDENTS

2Y LAST YEAR NO 217A

PM

TIME 0505

00

REPORT CONTINUATION NARRATIVE

URN 094-20609-2175-055

THE PURPOSE OF THIS SUPPLEMENTAL REPORT IS TO PROVIDE ADDITIONAL INFORMATION REGARDING THE OFFICER INVOLVED SHOOTING THAT OCCURED AT [REDACTED] BANDERA ST.

WE WERE RESPONDING TO A PERSON WITH A GUN CALL (TAG 227). THE CALL STATED THAT A MALE, HISPANIC WEARING A WHITE SHIRT AND BLUE JEANS ENTERED THE STORE WITH A HANDBUN.

UNIT 217 (DEPUTIES MISKEVICS # [REDACTED] AND FUCHS # [REDACTED]) RESPONDED TO THE LOCATION OF THE CALL (8823 ELM ST) THIS IS "JENNY'S MINI MARKET".

THEY CONTACTED I/ [REDACTED] WHO RELATED THE FOLLOWING:

I/ [REDACTED] TOLD THEM THAT A MALE (LATER IDENTIFIED AS S/RIVAS HAD BEEN INSIDE THE STORE APPROXIMATELY

REPORT CONTINUATION - NARRATIVE

URN 094-20509-2173-055

10 MINUTES PRIOR, AND HE WAS POINTING A HANDGUN AT PERSONS INSIDE THE STORE. HE TOLD THEM THAT THE SUSPECT PUT THE HANDGUN BACK IN HIS WAISTBAND, AND WALKED OUT OF THE STORE.

I/ [REDACTED] TOLD THE DEPUTIES THAT HE KNEW WHERE THE SUSPECT WENT.

DEPUTIES MISKEVICS AND FUCHS PUT I/ [REDACTED] INTO THEIR PATROL CAR AND STARTED DRIVING TO THE LOCATION OF THE SUSPECT.

I/ [REDACTED] DIRECTED THE DEPUTIES, WHO WERE NOW JOINED BY UNIT 216 A. (DEPUTIES KENNEY # [REDACTED] AND DEWALD # [REDACTED]), TO THE NORTH/SOUTH ALLEY SOUTH OF 88TH STREET, AND EAST OF BANDERA ST.

I/ [REDACTED] POINTED TO A [REDACTED] HOUSE, AND TOLD THE DEPUTIES

REPORT CONTINUATION - NARRATIVE

URN 094-20509-2175-055

THE SUSPECT WAS THERE.

THE DEPUTIES EXITED THEIR PATROL VEHICLES AND STARTED TO APPROACH THE LOCATION, SOUTHBOUND ON FOOT.

AS THE DEPUTIES APPROACHED THE LOCATION, A FEMALE (LATER IDENTIFIED AS I/ [REDACTED]) APPROACHED THE DEPUTIES FROM THE SOUTH. I/ [REDACTED] WHO HAD ALSO BEEN INSIDE "JENNY'S MARKET" POINTED IN AN OPEN CHAINLINK GATE AND SAID "THERE HE IS."

THE DEPUTIES HURLED TO THE OPEN GATE AND LOOKED INSIDE. I/ [REDACTED] AGAIN POINTED TO S/RIVAS AND SAID "THAT'S HIM, AND HE'S DRUNK."

THE DEPUTIES SAW S/RIVAS UNDER A TREE, APPROXIMATE 50-60 FEET AWAY, SEATED IN A CHAIR FACING THEM. S/RIVAS HAD HIS RIGHT HAND AT HIS WAISTBAND, AND HIS LEFT HAND CUPPED OVER HIS RIGHT HAND.

REPORT CONTINUATION - NARRATIVE

URN 094-20509-2175-055

DEPUTIES KENNEY AND REWALD, BELIEVING S/RIVAS MIGHT STILL BE ARMED, AND SEEING THAT I/ [REDACTED] WAS POSSIBLY IN HARMS WAY, RAN TO HER LOCATION TO KEEP HER AWAY FROM ANY POSSIBLE DANGER.

DEPUTIES KENNEY AND REWALD ESCORTED I/ [REDACTED] TO A SAFE LOCATION, THEN RETURNED, AND TOOK UP A POSITION AT THE SOUTH SIDE OF THE CHAIN LINK GATE.

THE DEPUTIES, STILL BELIEVING S/RIVAS WAS ARMED, ORDERED HIM TO PLACE HIS HANDS OVER HIS HEAD. THEY DID THIS REPEATEDLY IN ENGLISH AND SPANISH, AFTER SEVERAL MINUTES OF VERBAL COMMANDS, THEY GOT NO RESPONSE FROM S/RIVAS.

DUE TO THE FACT THAT S/RIVAS MADE NO ATTEMPT TO COMPLY WITH THEIR ORDERS, THE

REPORT CONTINUATION - NARRATIVE

URN 094-20509-275-055

DEPUTIES REQUESTED THAT A FIELD SGT, (SGT LOPEZ) RESPOND CODE 3 TO THEIR LOCATION WITH THE "ARWEN" GUN.

THE "ARWEN" GUN IS A LESS LETHAL WEAPON, THAT FIRES A RUBBER PROJECTILE, USED TO INCAPACITATE SUSPECTS.

PRIOR TO THE ARRIVAL OF THE "ARWEN" GUN, S/ RIVAS STOOD UP, (STILL HOLDING HIS WAISTBAND) AND STARTED WALKING SOUTHBOUND IN THE DIRECTION OF A RED PICK-UP TRUCK (CAL LIC [REDACTED]). WHEN S/ RIVAS GOT CLOSE TO THE TRUCK, AS IF TO USE IT AS COVER, HE AGAIN TURNED AND FACED THE DEPUTIES.

THE DEPUTIES, FEARING THERE MIGHT BE A CONFRONTATION, ATTEMPTED TO HAVE TRAFFIC ON BANDERA ST. STOPPED TO PREVENT ANYONE FROM BEING INADVERTANTLY STRUCK BY GUNFIRE.

REPORT CONTINUATION - NARRATIVE

URN 094-20509-2175-055

S/RIVAS, NOW FACING THE DEPUTIES, LIFTED HIS LEFT HAND EXPOSING A STAINLESS STEEL, SEMI-AUTOMATIC, HANDGUN. S/RIVAS, WITH HIS RIGHT HAND, RAISED THE GUN, AND POINTED IT IN THE DIRECTION OF THE DEPUTIES.

THE DEPUTIES, FEARING THEY WERE ABOUT TO BE SHOT, ALL FIRED ROUNDS FROM THEIR DEPARTMENTALLY ISSUED, BERETTA 92F, SEMI-AUTOMATIC HANDGUNS, AT S/RIVAS.

THE DEPUTIES DID NOT KNOW IF S/RIVAS WAS ABLE TO FIRE HIS WEAPON OR NOT.

S/RIVAS WAS ABLE TO DUCK DOWN BEHIND THE NORTH-WEST CORNER OF THE HOUSE, AND OUT OF VIEW.

THE DEPUTIES, NOT KNOWING IF S/RIVAS HAD BEEN STRUCK BY THE

REPORT CONTINUATION - NARRATIVE

URN 094-20509-275-055

GUNFIRE, STARTED ORDERING S/RIVAS OUT INTO THE OPEN.

AS THE DEPUTIES CONTINUED TO ORDER THE SUSPECT OUT, A MALE (LATER IDENTIFIED AS [REDACTED] M/H [REDACTED] OF [REDACTED] [REDACTED] EXITED THE LOCATION WITH HIS HANDS IN THE AIR.

MR. [REDACTED] TOLD THE DEPUTIES THAT S/RIVAS HAD BEEN HIT BY THE GUNFIRE AND HE WAS ON THE GROUND. THE DEPUTIES ASKED HIM WHERE THE GUN WAS. HE TOLD THEM THAT THE SUSPECTS [REDACTED] ([REDACTED] F/H [REDACTED] HAD TAKEN IT AWAY FROM THE SUSPECT.

WHEN THE DEPUTIES ASKED WHERE THE GUN WAS NOW, MR. [REDACTED] RAN BACK INSIDE THE RESIDENCE.

APPROXIMATELY 30 SECONDS LATER

REPORT CONTINUATION - NARRATIVE

URN 09420509-275-055

MR. [REDACTED] REAPPEARED, THIS TIME HE WAS HOLDING A HANDGUN OVER HIS HEAD HE THREW THE WEAPON ON THE GROUND IN FRONT OF THE DEPUTIES.

THE DEPUTIES NOW FELT THAT AN APPROACH TO THE LOCATION COULD SAFELY BE MADE.

THE DEPUTIES APPROACHED AND FOUND S/RIVAS LAYING ON HIS BACK, WITH HIS HEAD INSIDE THE RESIDENCE AND HIS FEET ON THE PORCH.

THE DEPUTIES HANDCUFFED S/RIVAS AND CALLED FOR THE PARAMEDICS TO TEND TO HIS INJURIES.

FOR ADDITIONAL INFORMATION REGARDING THE CRIME SCENE SEE ATTACHED LOG.

AT MARTIN LUTHER KING HOSPITAL S/RIVAS WAS TREATED BY ER DR GLENN AND DR LUNDY. UNIT 213A (DEP. JONES AND DEP [REDACTED]) REMAINED AT THE HOSPITAL.

FILE NO. 094-20809-2175-055

ACTIVE/ADDITIONAL INFORMATION
ADDITIONAL INFORMANTS

Action Taken

CODE: V-VICTIM, W-WITNESS, I-INFORMANT, R-REPORTING PARTY, P-PARTY LIST ONE OTHERS (IF NAMED) AND THE INFORMANT ON THIS PAGE.

| | | | | | |
|---------------------------------|-------------------------|-------------------|------------|-----------|-------------------|
| CODE
I-104 | LAST NAME
[REDACTED] | DOB
[REDACTED] | SEX
M | RACE
H | DOB
[REDACTED] |
| RESIDENCE ADDRESS
[REDACTED] | | | [REDACTED] | | |
| BUSINESS ADDRESS
[REDACTED] | | | [REDACTED] | | |
| CODE
I-204 | LAST NAME
[REDACTED] | DOB
[REDACTED] | SEX
M | RACE
H | DOB
[REDACTED] |
| RESIDENCE ADDRESS
[REDACTED] | | | [REDACTED] | | |
| BUSINESS ADDRESS
[REDACTED] | | | [REDACTED] | | |
| CODE
I-304 | LAST NAME
[REDACTED] | DOB
[REDACTED] | SEX
M | RACE
H | DOB
[REDACTED] |
| RESIDENCE ADDRESS
[REDACTED] | | | [REDACTED] | | |
| BUSINESS ADDRESS
[REDACTED] | | | [REDACTED] | | |

| CODE: S-SUSPECT, SJ-SUBJECT, M-PATIENT, SJ/V-SUSPECT/VICTIM CIRCLE CODE IF SUPP. PAGES USED FOR V W S SJ M SJ/V SJ/V | | | | | | | | | | |
|--|--------|------|-----------|--------|--------|--------------|--|--------|-----------------------------------|--------------------------------|
| CODE | No. OF | | LAST NAME | | | FIRST | | MIDDLE | | DRIVER'S LICENSE (STATE & No.) |
| RESIDENCE ADDRESS | | | | | | CITY | | ZIP | | RES PHONE (AREA CODE) |
| BUSINESS ADDRESS | | | | | | CITY | | ZIP | | BUS PHONE (AREA CODE) |
| SEX | RACE | HAIR | EYES | HEIGHT | WEIGHT | DOB | | AGE | WHERE DETAINED
ON CITE No. --- | |
| OBSERVABLE PHYSICAL FEATURES | | | | | | GRA/POSSNAME | | | BOOKING No. | |
| CLOTHING WORN | | | | | | | | | | MARK |
| CHARGE | | | | | | | | | | WEAPON USED |
| CODE | No. OF | | LAST NAME | | | FIRST | | MIDDLE | | DRIVER'S LICENSE (STATE & No.) |
| RESIDENCE ADDRESS | | | | | | CITY | | ZIP | | RES PHONE (AREA CODE) |
| BUSINESS ADDRESS | | | | | | CITY | | ZIP | | BUS PHONE (AREA CODE) |
| SEX | RACE | HAIR | EYES | HEIGHT | WEIGHT | DOB | | AGE | WHERE DETAINED
ON CITE No. --- | |
| OBSERVABLE PHYSICAL FEATURES | | | | | | GRA/POSSNAME | | | BOOKING No. | |
| CLOTHING WORN | | | | | | | | | | MARK |
| CHARGE | | | | | | | | | | WEAPON USED |

| | | | | | | | | | | |
|---|--|--|-------------------------|----------------|-----------|------------------------------|-------------------|--------------------------|---------|--------------|
| VEHICLE USED IN CRIME YES () NO (X) | | VE | NAME | BODY TYPE | COLOR | BY DEPUTY | CASTANO, E (NO) | | PAGE NO | |
| UNKNOWN () STORED () REPOUNDED () | | | | | | DEPUTY | MACINNES, S (VAC) | | | |
| LICENSE (STATE & NO) | | | ELN / FRAME NO | | | STATION | | CENTURY | | POST CARD NO |
| REGISTERED OWNER | | | | | | | | 216 | | AXI |
| IDENTIFYING CHARACTERISTICS | | | | | | APPROVED | | Sgt. Warren R. Watkins | | DATE |
| EXP. YES () GARAGE NAME & PHONE NO () | | | | | | ASSIGNMENT | | HARRIS - BUREAU | | 9-25-94 |
| VICTIM DESIGNED OF PROSECUTION YES () NO () | | VICTIM INSURED FOR LOSS YES () NO () | EAP NO | | | SPECIAL REQUEST DISTRIBUTION | | CENTURY DETECTIVE BUREAU | | |
| SUSPECT / SUBJECT RELEASED BY APPROVED BY | | NAME | ARREST REVIEW SUBMITTED | YES () NO () | TT & C BY | DATE | TIME | SIGNATURE | | |

REPORT CONTINUATION - NARRATIVE

URN 094-20509-2176-055

I: 4 of 4- [REDACTED] FA [REDACTED]

(work) [REDACTED]

THE PURPOSE OF THIS REPORT IS TO PROVIDE ADDITIONAL INFORMATION AND IDENTIFY ADDITIONAL INFORMANTS RE: OFFICER-INVOLVED SHOOTING UNDER THE INDICATED FILE NUMBER.

INFORMANTS ONE THROUGH THREE ([REDACTED] AND [REDACTED]) WERE SITTING IN THE BACKYARD OF [REDACTED] AT THE TIME OF THE SHOOTING. THIS BACKYARD IS DIRECTLY NORTH OF THE SHOOTING LOCATION ([REDACTED] BANDERA ST) AND THE YARDS ARE SEPARATED BY A CHAIN LINK FENCE. ALL THREE INFORMANTS TOLD ME THE SAME INFORMATION.

THE INFORMANTS SAID THEY WERE UNAWARE OF ANY PROBLEM IN THE NEXT DOOR YARD UNTIL THEY HEARD "A LOT OF YELLING." ALL THREE

REPORT CONTINUATION - NARRATIVE

URN

094-20509-2175-055

INFORMANTS HEARD VOICES YELLING "PUT YOUR HANDS UP!" THEY SAID THEY HEARD THIS COMMAND SEVERAL TIMES, THEN THEY HEARD "A LOT OF GUNSHOTS."

NONE OF THE INFORMANTS SAW ANYTHING AND WERE UNABLE TO PROVIDE ANY ADDITIONAL INFORMATION.

AFTER THE SHOOTING SCENE HAD BEEN SECURED, WE WERE ASKED TO TRANSPORT THE FOURTH INFORMANT, [REDACTED] TO CENTURY STATION PER THE HANDLING UNIT, 217A (DEPUTIES WESTPHAL [REDACTED] AND BRAUBERGER [REDACTED]). SHE IDENTIFIED HERSELF AS THE SUSPECT'S [REDACTED] AND SAID SHE HAD BEEN AT WORK AT THE TIME OF THE SHOOTING.

DATE 09-24-94

FILE NO. 094-20509-2175-055

C. 245(c) PC

ACTIVE/ADDITIONAL INFORMATION

Action Taken ADDITIONAL INFORMANT

CODE: V-VICTIM, W-WITNESS, I-INFORMANT, R-REPORTING PARTY, P-PARTY LIST ONE WITNESS (IF NAMED) AND THE INFORMANT

| | | | | | | |
|-------------------|------------------------------|------------------------|-------------------------------|--------------------------------------|------------------|---|
| CODE
I | LAST NAME
MACINNES | FIRST NAME
S | MIDDLE NAME
CASTANO | SEX
F | RACE
H | CHECK
OFF
BOOK
SECTION
105 |
| UNEMPLOYED | | | | BUS PHONE (AREA CODE)
NONE | | |

| | |
|---|--------|
| CODE S -SUSPECT, SJ -SUBJECT, M -PATIENT, S/V -SUSPECT/VICTIM, SJ/V -SUBJECT/VICTIM CIRCLE CODE IF SUPP PAGES USED FOR V W S SJ M S/V SJ/V | |
| RESIDENCE ADDRESS | CITY |
| BUSINESS ADDRESS | CITY |
| SEX | RACE |
| HAIR | EYES |
| HEIGHT | WEIGHT |
| DOB | AGE |
| OBSERVABLE PHYSICAL CHARACTERISTICS | |
| CLOTHING WORN | |
| CHARGE | |
| DRIVER'S LICENSE (STATE & NO.) | |
| RES PHONE (AREA CODE) | |
| BUS PHONE (AREA CODE) | |
| WHERE DETAINED
CITE NO | |
| BOOKING NO | |
| MAGN | |
| WEAPON USED | |

THE PURPOSE OF THIS SUPPLEMENTARY REPORT IS TO PROVIDE ADDITIONAL INFORMATION AND AN ADDITIONAL INFORMANT RE: THE OFFICER - INVOLVED SHOOTING UNDER THIS FILE NUMBER.

| | |
|---|-----------------------------|
| BY DEPUTY
CASTANO, F | (NO) |
| DEPUTY
MACINNES, S | (JAC) |
| STATION
CENTURY | UNIT / CAR NO
216 |
| APPROVED
Sgt. Warren R. Watkins | DATE
9-25-94 |
| ASSIGNMENT
HOMICIDE BUREAU | |
| SPECIAL REQUEST DISTRIBUTION
CENTURY DETECTIVE BUREAU | |
| TI B/C BY | DATE |
| TIME | SECT
9/26 |

REPORT CONTINUATION - NARRATIVE

URN

094-20609-2175-055

AT THE SCENE OF THE SHOOTING WE WERE CONTACTED BY DEPUTY ISRAUBERGER [REDACTED] WHO PLACED I/[REDACTED] IN THE BACK SEAT OF OUR RADIO CAR. HE TOLD US SHE WAS BEING DETAINED AS A POSSIBLE WITNESS TO THE SHOOTING AND ALSO AS A SUSPECT FOR 148 P.C., DELAYING OR OBSTRUCTING A PEACE OFFICER IN THE PERFORMANCE OF HIS DUTIES.

WE TRANSPORTED I/[REDACTED] TO CENTURY STATION FOR THE PURPOSE OF CONDUCTING AN INTERVIEW AND POSSIBLY BOOKING HER FOR THE INDICATED CHARGE. ONCE AT CENTURY STATION, I/[REDACTED] TOLD US THE FOLLOWING:

MINUTES PRIOR TO THE SHOOTING, I/[REDACTED] WAS CALLED AT HER HOME BY HER [REDACTED] [REDACTED] MM/12. HER [REDACTED] TOLD HER THAT THE "POLICE" WERE AT THE HOUSE ([REDACTED] BANDERA) AND THEIR [REDACTED] (RAYMONDO RIVAS SR) WAS ARMED WITH A HANDGUN. HER [REDACTED] SAID THERE WERE "BIG PROBLEMS" AND TOLD HER TO COME TO THE HOUSE IMMEDIATELY.

REPORT CONTINUATION ... NARRATIVE

URN 094-20509-2175-055

I/ [REDACTED] TOLD ME THAT WHEN SHE ARRIVED AT THE HOUSE, HER [REDACTED] HAD ALREADY BEEN SHOT. SEEING HER [REDACTED] LAYING ON THE GROUND UPSET HER GREATLY. WHEN SHE SAW TWO OFFICERS (SGT LOPEZ [REDACTED] AND DEPUTY KENNEY [REDACTED]) APPROACH HER [REDACTED] AND ATTEMPT TO HANDICUFF HIM, SHE BECAME HYSTERICAL AND TRIED TO PUSH THEM AWAY SO SHE COULD TENDER AND TO HER INJURED [REDACTED]

SHE STRUCK BOTH SGT LOPEZ AND DEPUTY KENNEY SEVERAL TIMES BEFORE DEPUTY BRAUBERGER WAS ABLE TO PUSH HER BACKWARDS. DEPUTY BRAUBERGER AND DEPUTY KENNEY WERE THEN ABLE TO TAKE HER DOWN TO THE GROUND AND HANDICUFF HER. SGT LOPEZ SUSTAINED A SMALL CUT TO HIS RIGHT WRIST AS A RESULT OF THIS FIGHT. I/ [REDACTED] SAID SHE HAD BEEN STRUCK, BUT SAID SHE WAS NOT INJURED AND DECLINED MEDICAL ASSISTANCE.

SHE EXPLAINED HER ACTIONS BY SAYING THE SIGHT OF HER [REDACTED] BEING INJURED MADE HER "HYSTERICAL" AND SHE "LOST CONTROL."

REPORT CONTINUATION - NARRATIVE

URN 094-20509-2175-055

SHE ALSO TOLD US SHE DID NOT WANT TO INJURE THE DEPUTIES - ONLY TO HELP HER [REDACTED]

WHILE WE WERE AT THE STATION, I [REDACTED] ALSO RELATED THE FOLLOWING INCIDENT TO US:

APPROXIMATELY TWO WEEKS AGO, SHE HAD BEEN SPEAKING ON THE TELEPHONE WITH HER [REDACTED] I [REDACTED] SAID HER [REDACTED] HAD TOLD HER THAT HER [REDACTED] WAS DRUNK AND THREATENING TO SHOOT HER WITH HIS PISTOL. I [REDACTED] SAID SHE HEARD HER [REDACTED] YELLING LOUDLY IN THE BACKGROUND, THEN THE PHONE LINE WENT DEAD.

I [REDACTED] HAD BEEN SO CONCERNED, SHE HAD CALLED CENTURY STATION FOR ASSISTANCE AND DEPUTIES WERE SENT TO THE HOUSE. I [REDACTED] SAID THE DEPUTIES FOUND A GUNCASE CONTAINING SEVERAL LIVE ROUNDS, BUT SHE SAID THE GUN ITSELF WAS "IN THE SHOP," MEANING

REPORT CONTINUATION — NARRATIVE

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IT WAS AT A GUNSMITH. SHE SAID SHE DID NOT KNOW IF HER [REDACTED] HAD BEEN ARRESTED, BUT SAW HIM BEING PLACED INSIDE A PATROL CAR. SHE WAS TOLD BY THE DEPUTIES TO CALL 911 IF HER [REDACTED] GOT DRUNK AND THE PISTOL WAS INSIDE THE HOUSE AGAIN. SHE SAID THEY ADVISED HER THEY COULD TEMPORARILY SEIZE THE GUN TO SAFEGUARD OTHER FAMILY MEMBERS AND SUGGESTED SHE GET RID OF THE GUN AS SOON AS IT CAME BACK FROM THE GUNSMITH.

I/[REDACTED] TOLD ME HER [REDACTED] HAD ONLY OWNED THE WEAPON FOR A FEW MONTHS, BUT HE HAD ALREADY THREATENED HIS [REDACTED], OTHER FAMILY MEMBERS AND PEOPLE OUTSIDE THE FAMILY. SHE SAID SHE BELIEVED THAT HE WOULD USE THE GUN TO INJURE SOMEONE IF HE GOT DRUNK ENOUGH AND LOST HIS TEMPER. IT WAS THIS BELIEF THAT COMPELLED HER TO CALL SHERIFF'S DEPUTIES TO THE HOUSE TWO WEEKS AGO AS WELL AS RUN TO THE SCENE OF THE SHOOTING TODAY.

REPORT CONTINUATION - NARRATIVE

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DUE TO THE FACT I/ [REDACTED] WAS SIMPLY
REACTING TO THE OBVIOUSLY VERY DISTURBING
SIGHT OF HER INJURED [REDACTED] WHEN SHE
ATTACKED SGT LOPEZ, DEPUTY KENNEY AND DEPUTY
BRAUBERGER, THE DEPUTIES FELT IT WOULD
BE INSENSITIVE TO THE SHOOTING SUSPECT'S
FAMILY TO ARREST I/ [REDACTED] FOR OBSTRUCTING
A PEACE OFFICER. SHE WAS NOT CHARGED.